IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

SERING CEESAY,

Plaintiff,

v.

Civil Action No.: 1:25-cv-03716

Pam BONDI, Attorney General of the United States; Sirce E. OWEN acting Director of the Executive Office for Immigration Review (EOIR); Michael P. DAVIS is the acting Assistant Chief Immigration Judge, Executive Office of Immigration Review¹; **James** McHENRY, acting Attorney General of the United States; **Kristi NOEM**, in her official capacity as Secretary, U.S. Department of Homeland Security and U.S. Immigration and Customs Enforcement,

Defendants.

[PROPOSED ORDER

Upon consideration of Plaintiff's Motion for a Temporary Restraining Order, the Memorandum of Law in Support of the Motion and the Exhibit thereto and the Complaint and Exhibits thereto (ECF No. 1 and ECF No. 1-1-1-5), IT IS HEREBY ORDERED that:

Respondents are ORDERED to file a return as to why the temporary restraining 1. order should not be granted by

2.

Petitioner shall have an opportunity to reply by <u>Noon on 5/9/25</u>; and

This matter shall be heard by the Court on <u>5/9/25</u>; 2 pm. in

Court 14-B at 500 Real St., Now York, NY.

¹ As of the date of the date of this petition, the position of Chief Immigration Judge for the Executive Office of Immigration Review is vacant. See https://www.justice.gov/eoir/office-ofthe-chief-immigration-judge

4. Pending consideration, Respondents ARE HEREBY RESTRAINED from (a) from detaining Mr. Ceesay on May 6, 2025, or May 7, 2025, for the purposes of removal from the United States, (b) attempting to remove the Plaintiff outside of the jurisdiction of the United States District Court for the Southern District of New York and (c) removing Petitioner from the United States;

- 5. Pending consideration, Respondents ARE HEREBY RESTRAINED from moving Plaintiff unless seventy-two (72) hours written notice of any movement is provided to Plaintiff's counsel;
 - 6. And such other and further relief as the Court may find appropriate:

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5 5 . , 2025

United States District Judge